

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 24-cr-221 (DWF/TNL)

Plaintiff,

v.

ORDER

Jonathan Chavez-Galarza,

Defendant.

This matter comes before the Court on Defendant Jonathan Chavez-Galarza's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 15. Defendant also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act, ECF No. 16.

Defendant requests a two-week extension of the pretrial motions filing deadline and corresponding hearing date because defense counsel needs additional time to review the discovery produced in this case and to confer with Defendant in order to determine how to proceed in this matter. *See* ECF No. 15. Defendant also requests for the period of continuance to be excluded from computation under the Speedy Trial Act. *See* ECF No. 16. The Government via email correspondence represented that it has no objection to the requested continuance.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy

trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 15, is **GRANTED**.
2. The period of time from **the date of this Order through September 18, 2024**, shall be excluded from Speedy Trial Act computations in this case.
3. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **September 18, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Leung.
4. **Counsel must electronically file a letter on or before September 18, 2024 if no motions will be filed and there is no need for hearing.**
5. All responses to motions must be filed by **October 2, 2024**. *See* D. Minn. LR 12.1(c)(2).
6. Any Notice of Intent to Call Witnesses must be filed by **October 2, 2024**. *See* D. Minn. LR 12.1(c)(3)(A).
7. Any Responsive Notice of Intent to Call Witnesses must be filed by **October 7, 2024**. *See* D. Minn. LR 12.1(c)(3)(B).
8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **October 9, 2024, at 9:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**
the following trial and trial-related dates are:

Voir Dire and Jury Instructions shall be filed with District Judge Donovan W. Frank's chambers on or before **October 25, 2024**.

Trial will commence on **November 4, 2024 at 9:00 a.m.**, before District Judge Donovan W. Frank in Courtroom 7C, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, Saint Paul, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Frank to confirm the new trial date.**

[Continued on next page.]

Dated: September 10, 2024

s/ Tony N. Leung

Tony N. Leung

United States Magistrate Judge

District of Minnesota

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